

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FINEMAN KREKSTEIN & HARRIS, P.C.

A Pennsylvania Professional Corporation

BY RICHARD J. PERR, ESQUIRE

Ten Penn Center

1801 Market Street, Suite 1100

Philadelphia, PA 19103-1628

(v) 215-893-9300; (f) 215-893-8719

e-mail: rperr@finemanlawfirm.com

Attorneys for Defendant Delta Outsource Group, LLC

DOVID BENDER,	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	NO.
	:	
DELTA OUTSOURCE GROUP, LLC, A	:	
Professional Collection Agency and	:	
JOHN DOES 1-25	:	
Defendants	:	JURY TRIAL DEMANDED
	:	

NOTICE OF REMOVAL

Defendant DELTA OUTSOURCE GROUP, LLC (hereinafter referred to as “Delta Outsource Group”), by its undersigned counsel, hereby petitions this Court as follows, pursuant to 28 U.S.C. § 1441(b):

1. Delta Outsource Group is a defendant in an action pending in the Superior Court of New Jersey, Law Division, Special Civil Part, Ocean County, Docket No. DC-005475-16 (“the State Court Action”). A true and correct copy of the Complaint in the State Court Action is attached hereto as Exhibit “A”.

2. Plaintiff in the State Court Action is DOVID BENDER (“Plaintiff”). See Exhibit “A”.

3. Plaintiff’s State Court Action alleges violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227(b)(3)(A) and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq.

4. The State Court Action involves a question of federal law. Pursuant to 28 U.S.C. § 1331, “The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

5. Pursuant to 28 U.S.C. § 1441(a), “[a]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

6. Since this case arises out of an alleged violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227(b)(3)(A) and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., Defendant may properly remove the State Court Action to this Court based on 28 U.S.C. § 1441(a).

7. This Notice has been filed with the Court within thirty (30) days after purported service of the Complaint on Defendant.

WHEREFORE, Defendant Delta Outsource Group, LLC prays that the State Court Action be removed from the Superior Court of New Jersey, Law Division, Special Civil Part, Ocean County, Docket No. DC-005475-16, to this Court for proper and just determination.

FINEMAN KREKSTEIN & HARRIS, P.C.

By: /S/ Richard J. Perr
RICHARD J. PERR, ESQUIRE
Ten Penn Center
1801 Market Street, Suite 1100
Philadelphia, PA 19103-1628
(v) 215-893-9300; (f) 215-893-8719
e-mail: rperr@finemanlawfirm.com
Attorney for Defendant Delta Outsource Group,
LLC

Dated: July 19, 2016